

Pt. 234, App. B

49 CFR Ch. II (10–1–15 Edition)

⁴For a violation of § 234.307(d)(4), a penalty should be assessed for the specific type of violation according to the penalty schedule for a violation of § 234.305.

⁵For a violation of § 234.307(e) pertaining to recordkeeping, a penalty should be assessed for the specific type of violation in the penalty schedule for a violation of §§ 234.313 or 234.315, as applicable.

⁶FRA reserves the right to cite a violation for each item of required information omitted from a sign.

⁷FRA reserves the right to cite a violation for each physical characteristic that is nonconforming.

[61 FR 31806, June 20, 1996, as amended at 63 FR 11623, Mar. 10, 1998; 69 FR 30595, May 28, 2004; 70 FR 11094, Mar. 7, 2005; 73 FR 76704, Dec. 30, 2008; 77 FR 24422, Apr. 24, 2012; 80 FR 786, Jan. 6, 2015; 80 FR 30364, May 28, 2015]

APPENDIX B TO PART 234—ALTERNATE METHODS OF PROTECTION UNDER 49 CFR 234.105(c), 234.106, AND 234.107(c)

[This is a summary—see body of text for complete requirements]

	Flagger for each direction of traffic	Police officer present	Flagger present, but not one for each direction of traffic	No flagger/no police
False Activation	Normal Speed	Normal Speed	Proceed with caution—maximum speed of 15 mph.	Proceed with caution—maximum speed of 15 mph.
Partial Activation* ...	Normal Speed	Normal Speed	Proceed with caution—maximum speed of 15 mph.	Proceed with caution—maximum speed of 15 mph.
Activation Failure**	Normal Speed	Normal Speed	Proceed with caution—maximum speed of 15 mph.	Stop: Crewmember flag traffic and reboard.

*Partial activation—full warning not given.
Non-gated crossing with one pair of lights designed to flash alternatively, one light does not work (and back-lights from other side not visible).

Gated crossing—gate arm not horizontal; or any portion of a gate arm is missing if that portion had held a gate arm flashing light.

**Activation failure includes—if more than 50% of the flashing lights on any approach lane not functioning; or if an approach lane has two or more pairs of flashing lights, there is not at least one pair operating as intended.

PART 235—INSTRUCTIONS GOVERNING APPLICATIONS FOR APPROVAL OF A DISCONTINUANCE OR MATERIAL MODIFICATION OF A SIGNAL SYSTEM OR RELIEF FROM THE REQUIREMENTS OF PART 236

Sec.

235.1 Scope.

235.3 Application.

235.5 Changes requiring filing of application.

235.6 Expedited application for approval of certain changes.

235.7 Changes not requiring filing of application.

235.8 Relief from the requirements of part 236 of this title.

235.9 Civil penalty.

235.10 Contents of application.

235.12 Additional required information—prints.

235.13 Filing procedure.

235.14 Notice.

235.20 Protests.

APPENDIX A TO PART 235—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20103, 20107; 28 U.S.C. 2461, note; and 49 CFR 1.89.

SOURCE: 49 FR 3380, Jan. 26, 1984, unless otherwise noted.

§ 235.1 Scope.

This part prescribes application for approval to discontinue or materially modify block signal systems, interlockings, traffic control systems, automatic train stop, train control, or cab signal systems, or other similar appliances, devices, methods, or systems, and provides for relief from part 236 of this title.

§ 235.3 Application.

(a) Except as provided in paragraph (b) of this section, this part applies to railroads that operate on standard gage track which is part of the general railroad system of transportation.

(b) This part does not apply to rail rapid transit operations conducted over track that is used exclusively for that purpose and that is not part of the general system of railroad transportation.

§ 235.5 Changes requiring filing of application.

(a) Except as provided in § 235.7, applications shall be filed to cover the following:

(1) The discontinuance of a block signal system, interlocking, traffic control system, automatic train stop,